

1 James-Francis: Murphy
2 In Care of Postal Department 234277
3 Encinitas, California 92023-4277
4 Tel: 760-230-2868
5 In Propria Persona (not Pro Se)

FILED

08 MAY 30 PM 4:00

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: CP DEPUTY

7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA)

Case No. – 08 CR 1196 W

11 Plaintiff,)

12)
13 v.)

NOTICE TO COURT OF HAINES V.

KERNER and LOUISVILLE & N R

CO V. SCHMIDT STATUS

14)
15 JAMES FRANCIS MURPHY,)

16 Defendant,)
17)
18)

19 James-Francis: Murphy)

20 Real Party in Interest)

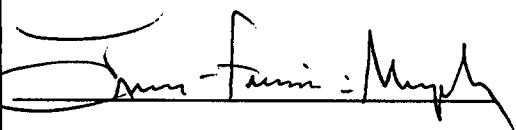
21 Third Party Intervener)

22 Authorized Representative)
23)
24

25 James-Francis: Murphy, Authorized Representative of the Defendant hereby gives
26 this court judicial notice that the doctrine of Haines v. Kerner, 404 U.S. 519 (1972)
27 and LOUISVILLE & N R CO v. SCHMIDT, 177 U.S. 230 (1900) wherein substance
28 governs over mere form is being invoked in this instant case.
29

1 It is requested that the clerk of the court place this document in the evidence file
2 and make conformed copies for the Judges file.

3
4 Respectfully submitted this 30th day of May, 2008.

5
6 

7 James-Francis: Murphy

8 Authorized Representative

9
10 **CERTIFICATE OF SERVICE**

11
12 COPY of the forgoing hand delivered,
13 This 30th day of May, 2008, to:
14 U. S. Assistant Attorney Fred Sheppard
15 880 Front Street Room 6293
16 San Diego, CA
17 619-557-5610
18

19
20
21 Service performed by:
22 James-Francis: Murphy
23 In Care of Postal Department 234277
24 Encinitas, California 92023-4277
25 Tel. No.- 760-230-2868
26 In Propria Persona (not Pro Se)